

B3009 – SEXUAL VIOLENCE AND MISCONDUCT

PROCEDURES FOR STUDENTS

Options for Students

1. A student who has experienced or witnessed sexual violence or misconduct falling within the scope and definition found in the Sexual Violence and Misconduct Policy has a range of options. Options include:

Disclosure

2. A student may disclose an incident of sexual violence or misconduct to a trusted member of the College community to obtain validation, support, guidance and/or referral. Disclosure may be made to:
 - a. A trusted employee, or another student or friend
 - b. A member of the Langara Students' Union
 - c. A counsellor from the Counselling Department
 - d. A nurse or doctor from Health Services
 - e. A member of the Campus Security Team
 - f. The Manager, Student Conduct and Judicial Affairs
 - g. An external sexual violence support service
3. Suggestions on how to respond to a disclosure are found in Appendix A.
4. Specific responsibilities for key College departments and personnel are outlined in Appendix B.

Report to Police

5. Students may report allegations through the criminal justice system by contacting their local Police Department.
6. Students who wish to make a police report can seek assistance in doing so from:
 - a. Campus Safety and Security
 - b. Counselling Department
 - c. Health Services
 - d. Student Conduct and Judicial Affairs
7. The College will cooperate with any criminal investigation.

Informal/Information Report to the College

8. A student who wishes to notify the College of an incident of sexual violence or misconduct, without initiating an investigation, may do so by contacting the Manager, Student Conduct and Judicial Affairs.
9. When an informal/information report is received, the Manager, Student Conduct and Judicial Affairs will outline formal reporting options including the option to notify law

enforcement, and will offer support as outlined in the policy. The Manager will make a written record of the incident.

10. Written records of an informal/information report will be kept on file in the Office of Student Conduct and Judicial Affairs.
11. Where the student requests no action by the College, this request will be noted in the written record.
12. The College reserves the right to take action on an informal/information report if,
 - a. The allegation involves a minor,
 - b. Federal or provincial legislation requires an investigation, or
 - c. There is a reasonable assumption of risk to the individual or members of the College community.
13. Where the College is required to take action based on any of the reasons outlined above, the student will be notified.

Third Party Reporting

14. If extenuating circumstances prevent a student from reporting an incident directly to the Manager, Student Conduct and Judicial Affairs, the student may request that a willing and trusted member of the College community or another third party initiate the report on their behalf by signing the consent form found in Appendix D. Extenuating circumstances includes trauma induced psychological or functional impairment.

Temporary Academic Accommodation

15. Students seeking temporary accommodation because of an experience of sexual violence or misconduct may make their request directly to the instructor, Department Chair or Program Coordinator, as applicable, or may contact any of the following to seek guidance in making a request.
 - a. Counselling Department
 - b. Health Services
 - c. Disability Services (students registered with Disability Services)
 - d. Student Conduct and Judicial Affairs
16. Temporary accommodation will vary from department to department depending on learning objectives and program structure, and may include, but not be limited to, extended time on assignments, alternate exam arrangements, modified group work activities, late withdrawal or course deferral, work-from-home options or other scheduling modifications agreeable to both the student and the program or department.
17. A decision on the nature and scope of temporary academic accommodation may be made in consultation with the Manager, Student Conduct and Judicial Affairs.
18. Students who require longer-term academic accommodation due to ongoing physical or psychological factors are encouraged to contact Langara Disability Services.

Requesting an Investigation

19. Students or third party reporters may request an investigation into an alleged incident of sexual violence or misconduct by contacting the Manager, Student Conduct and Judicial

Affairs.

20. If a student has made a previous informal/information report, this report may be used or expanded upon for the purposes of an investigation.
21. Requests for an investigation should include the following:
 - a. Complainant's name and contact information,
 - b. Respondent's name and contact information, if known,
 - c. Detailed description of the situation/incident(s),
 - d. List of any witnesses to the situation/incident(s), along with as much information as possible to assist in identifying and contacting witnesses, and
 - e. Date and signature of complainant.

Investigation Process

22. When a request for an investigation is received, the Manager, Student Conduct and Judicial Affairs will review the request to ensure it falls within the scope of the Sexual Violence and Misconduct Policy.
23. Where the matter falls within the scope of the policy and pertains to an allegation involving another student, the Manager, Student Conduct and Judicial Affairs may arrange for an external investigator to undertake the investigation or may undertake the investigation internally.
24. Where the matter falls within the scope of the policy and pertains to an allegation involving an employee or a non-student member of the College community, the Manager, Student Conduct and Judicial Affairs will refer the request to the Director, Human Rights and Labour Relations or the Manager, Safety, Security and Emergency Management.
25. Where the matter falls outside the scope of the Sexual Violence and Misconduct Policy, the student will be referred to the appropriate College policy or to another College or external resource.

Interim Measures

26. The Manager, Student Conduct and Judicial Affairs will arrange or implement interim measures deemed appropriate to the circumstances. Interim measures may include, but are not limited to:
 - a. Alteration of the academic schedule of any student involved in a complaint of sexual violence or misconduct,
 - b. No-contact undertakings or no-contact directives between the parties,
 - c. Temporary, non-disciplinary leave of absence for the student alleged to have engaged in sexual violence or misconduct, and
 - d. Any other interim restrictions deemed appropriate by the College.

External Investigation

27. If it is decided that the matter will be investigated by an external investigator, the Manager, Student Conduct and Judicial Affairs will work with the Vice-President, People Services or delegate, to arrange for the services of an external investigator.
28. The external investigator will establish an investigation process based on expectations

outlined by the College.

29. The final investigation report will be provided to the Manager, Student Conduct and Judicial Affairs.
30. The complaint and the respondent will receive a summary report.

Internal Investigation

31. If the Manager, Student Conduct and Judicial Affairs decides that an investigation will be conducted internally, the Manager or delegate will meet with or otherwise communicate with the complainant and the respondent to:
 - a. Review the allegations,
 - b. Outline the investigation process, including any limitations to the investigation,
 - c. Review support options that may be available, and
 - d. Obtain relevant information, including names of witnesses, if any, and any other information or material relevant to the investigation.
32. Decision-making will include an assessment of the information gathered during the investigation and matters of credibility to determine if a breach of the Sexual Violence and Misconduct Policy occurred.
33. Decisions following an investigation will be made on the balance of probabilities based on the preponderance of evidence.
34. The final investigation report will be kept in a confidential file located in the Office of Student Conduct and Judicial Affairs.
35. The complaint and the respondent will receive a summary report.

Withdrawing From an Investigation

36. A student may withdraw from an investigation by making a written request to the Manager, Student Conduct and Judicial Affairs.
37. Upon receipt of a request to withdraw, the investigation will cease and the parties will be notified, except in situations where an investigation is required.

Sanctions

38. When an investigation establishes that a student has violated the Sexual Violence and Misconduct Policy, sanctions up to and including suspension or termination from the College will be imposed as follows:
 - a. The Manager, Student Conduct and Judicial Affairs will impose sanctions short of suspension.
 - b. The President will impose sanctions involving suspension from the College.

Disputes

39. Any student wishing to file a dispute about the reporting or investigation process may do so by notifying the Vice-President, People Services in writing of the concerns.
40. Disputes regarding sanctions imposed for violations of the Sexual Violence and Misconduct Policy must be addressed through the Appeal Procedures associated with the policy.

APPENDIX A

Response to Disclosure

When a student discloses an incident of sexual violence or misconduct to a member of the College community, respond in a way that supports individual dignity, and demonstrates compassion and respect.

- Listen empathically and without judgement or interruption.
- Validate the individual's experience or reactions.
- Help the person identify safe individuals within their existing support system.
- Reassure the individual that they are not responsible for the actions of the other person.
- Review the current safety of the individual.
- Provide information about on-campus and off-campus resources, including counselling and medical support services. A list of resources is contained in Appendix B.
- Inform the individual of their complaint or reporting options, including contact information for on-campus reporting of the incident(s).
- Encourage the individual to seek medical attention and counselling support, while respecting the individual's right to choose the services they believe will be of most benefit, including any decision to notify the police.
- Avoid giving personal advice.
- Do not conduct an investigation.
- Do not call the police, unless you are specifically asked to do so.
- Ask the individual what you can do to be supportive.

If an individual receiving the disclosure feels unable to assist the student, ask the student if they would like you to escort them to the Counselling Department for assistance.

APPENDIX B

Roles and Responsibilities for College Personnel

Academic Chairs, Program Coordinators and Faculty

Make referrals to on-campus support services, and facilitate implementation of temporary accommodation and related academic requests from students who have experienced sexual violence or misconduct.

Campus Safety and Security

Receive informal/informational reports of sexual violence or misconduct from students, provide support for police reporting, conduct investigations or arrange for investigations to be undertaken into formal reports of sexual violence or misconduct, establish safety programs, implement measures to reduce sexual violence on campus and collaborate with local police where appropriate.

Counselling Department

Provide students with psychological and emotional support, assist with safety planning, provide support for police reporting and make referrals to other services, including medical services. The department may provide guidance regarding temporary accommodation requests.

Disability Services

Provide support to students currently registered with Disability Services, assist with safety planning, make referrals to other services including medical services and provide support for temporary and longer-term academic accommodation requests.

Health Services

Provide medical, emotional and other health-related support to students, assist with safety planning, provide support for police reporting, make referrals to other services, including external medical services, and provide support for temporary accommodation requests.

Student Conduct and Judicial Affairs

Receive informal/informational reports of sexual violence or misconduct regarding student respondents, provide support for police reporting, conduct investigations or arrange for investigations to be undertaken into formal reports of sexual violence or misconduct, facilitate or arrange temporary accommodation for students as required, assist with safety planning and make referrals to support services, including external medical services.

APPENDIX C

What to Do If You Have Experienced Sexual Violence or Misconduct

Call the Crisis Line - A Crisis Line is a non-profit, volunteer organization committed to helping people help themselves and others deal with crisis. 24-hour crisis lines are available to provide immediate crisis support.

- WAVAW 24-Hour Crisis Line: 604-255-6344 or toll free 1-877-392-7583
- VictimLink BC at 1-800-563-0808 can help you find a support service program nearest you.

Speak with a Langara counsellor - Langara Counselling Department provides free one-on-one counselling to support students who have been sexually assaulted and/or impacted by sexual abuse and other forms of sexualized violence. The Counselling Department provides a respectful, safe and supportive environment. Counselling services are confidential, free of charge and are provided in a supportive and inclusive space.

- Location: B Building, Room B111
- Phone: 604.323.5221
- Email: counselling@langara.bc.ca

Go to the Sexual Assault Service at Vancouver General Hospital - Go directly to the Vancouver General Hospital Emergency Department at 920 West 10th Avenue (near Broadway & Oak), and ask for the Sexual Assault Service.

Female patients can call 604.255.6344 if they would like a Rape Crisis Centre counsellor from *Women Against Violence Against Women* (WAVAW) to meet them at the hospital. When you call, ask for "Hospital Accompaniment Staff."

Visit Langara Health Services

Langara Health Services provides medical services (not including forensic exams) in a caring, safe and confidential space.

- Location: B Building, Room B101
- Phone: 604.323.5256

Report to Someone

Each of the following will take your report and provide you with information about your options. If you or others are in immediate danger or fear for your safety, call 911.

Speak to Campus Safety and Security

Campus Security provides assistance in safety planning and can help you decide if, and how, you would like to report the incident.

- Location: Front of campus facing West 49th Ave, across from the bookstore.
- Phone: 604.374.2373 or 4444 from an internal phone
- Emergency number: 911

Speak to Student Conduct and Judicial Affairs (SCJA)

If you are a student, speak with the Manager. She will take your report, explain the procedures to you, and will assist you to get the support you need.

- Location: Building T, room T206B
- Phone: 604.323.5151
- Email: scja@langara.bc.ca

Call the Vancouver Police Department

The Vancouver Police can provide information on various reporting options and are available to accompany the survivor to the Vancouver General Hospital (VGH) Sexual Assault Service if desired.

- Non-emergency number: 604.771.3321
- Emergency number: 911

APPENDIX D

Consent to Release Information – Sexual Violence and Misconduct

Instructions to student: Complete the form and sign it by hand, using pen. Show your student ID card when dropping off the form.

I, _____ (SN: _____), give permission to:

Name: _____

Address: _____

Phone: _____

Email: _____

Relationship to student: _____

To communicate with:

Maggie Ross, MSW
Manager, Student Conduct and Judicial Affairs
Chair, Behavioural Intervention Team
Langara College, 100 West 49th Avenue, Vancouver BC, V5Y 2Z6
T: 604.323.5151 E: maggieross@langara.ca

Regarding:

This consent will remain in effect until _____.

(Note: the release is not valid without an expiration date)

I am aware that I may revoke this consent at any time by notifying you. I am also aware that I may review any information shared. I understand and agree that a reproduction of this authorization will be valid and accepted with the same authority as the original.

(Student Signature)

(Date)

The student has shown Student ID Card confirming identity. Yes No If no, explain below.